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Eli Lilly and Company  
Lilly Corporate Center  
Indianapolis, Indiana 46285  
U.S.A.**Legal Department - Patent Division****To: Commissioner for Patents**Company: USPTO  
Fax: (571)273-8300  
Phone:  
Date: November 8, 2005From: John A. Cleveland  
Fax: 317-276-5172  
Phone: 317-276-0307  
Total Pages: 12Re: Applicants: Zhaogen Chen, et al.  
Serial No. 10/523147  
Filing Date: July 28, 2003  
Docket No.: X-15515 US

We sent a response on October 18, 2005 to the notice of missing parts but did not include the fee transmittal sheet. Thank you.

**Privileged and Confidential Communication**

If there are any transmittal problems please call: (317) 651-2733.

This facsimile message is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify us immediately by telephone (collect), and return the original message to us at the above address via U.S. Postal Service.

**Answers That Matter.**

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CERTIFICATION OF FACSIMILE TRANSMISSION	
I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.	
Type or print name of person signing certification <u>KELLY RAMSEY</u>	
Signature <u>Kelly Ramsey</u>	Date <u>11-8-05</u>

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Applicant: CHEN Zhaogen

Serial No.: 10/523147

Application Date: July 28, 2003

Group Art Unit: 1614

Examiner:

Conf No.: 6445

For: PIPERAZINE SUBSTITUTED ARYL BENZODIAZEPINES  
Docket No.: X15515

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Commissioner for Patents  
Mail Stop Missing Parts  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to a "Notice to File Missing Parts of Application" dated July 8, 2005, noting the absence of a declaration from the papers filed with the above-identified application.

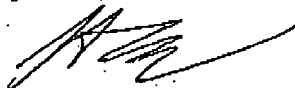
Enclosed herewith are: 1) a copy of the Notice, 2) a Declaration required under 37 C.F.R. 1.497(a); and 3) a Fee Transmittal.

Please charge Deposit Account No. 05-0840 in the amount of \$130 for the surcharge required by §1.16(e), \$450 for a two-month extension, and \$1,000 for excess pages filed in the specification. The Commissioner is hereby authorized to charge any additional

X-15515

fees which may be required by this Response, or credit any overpayment, to Deposit Account No. 05-0840.

Respectfully submitted,



John A. Cleveland Jr.  
Attorney/Agent for Applicant(s)  
Registration No. 50,697  
Phone: 317-276-0307

Eli Lilly and Company  
Patent Division  
P.O. Box 6288  
Indianapolis, Indiana 46206-6288

November 8, 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO	FIRST NAMED APPLICANT	ATTY DOCKET NO
10/523,147	Thomas Daniel Aicher	X-15515

INTERNATIONAL APPLICATION NO
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PCT/IB03/03583

1A FILING DATE	PRIORITY DATE
07/28/2003	08/05/2002

25885  
ELI LILLY AND COMPANY  
PATENT DIVISION  
P.O. BOX 6288  
INDIANAPOLIS, IN 46208-6288

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JUL 15 2005

ELI LILLY &amp; COMPANY, PATENT DEPT.

CONFIRMATION NO. 6445

371 FORMALITIES LETTER

\*OC000000016472583\*

Date Mailed: 07/08/2005

Due 9-8-2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/24/2005
- Preliminary Amendments filed on 01/24/2005
- Information Disclosure Statements filed on 01/24/2005
- U.S. Basic National Fees filed on 01/24/2005
- Priority Documents filed on 01/24/2005
- Specification filed on 01/24/2005
- Claims filed on 01/24/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$1130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- The fee for submitting a specification and drawing containing more than 100 pages has not been paid in full. Applicant owes \$1000 for 183 pages in excess of 150 pages for a large entity.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

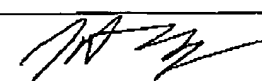
**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO	INTERNATIONAL APPLICATION NO	ATTY DOCKET NO
10/523,147	PCT/IB03/03583	X-15515

FORM PCT/DO/EO/905 (371 Formalities Notice)

**BEST AVAILABLE COPY**

Please type a plus sign (+) inside this box →

FEE TRANSMITTAL				Complete if Known																																																																																							
Effective December 8, 2004  TOTAL AMOUNT OF PAYMENT (\$) <b>1,580.00</b>  METHOD OF PAYMENT (check one) 1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number <b>05-0840</b> Deposit Account Name <b>Eli Lilly and Company</b> <input checked="" type="checkbox"/> Charge Any Additional Fee Required <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the time of allowance				Serial No.		10/523147																																																																																					
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1. In connection with the filing, search and exam fees <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Code</th> <th style="text-align: left;">Description</th> <th style="text-align: right;">Fee</th> <th style="text-align: right;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1011</td> <td>Basic filing fee (Utility)</td> <td style="text-align: right;">\$300.00</td> <td></td> </tr> <tr> <td>1111</td> <td>Utility search fee</td> <td style="text-align: right;">\$500.00</td> <td></td> </tr> <tr> <td>1311</td> <td>Utility examination fee</td> <td style="text-align: right;">\$200.00</td> <td></td> </tr> <tr> <td colspan="2" style="text-align: right;">SUBTOTAL (1)</td> <td style="text-align: right;">(\$)</td> <td></td> </tr> </tbody> </table>				Code	Description	Fee	Fee Paid	1011	Basic filing fee (Utility)	\$300.00		1111	Utility search fee	\$500.00		1311	Utility examination fee	\$200.00		SUBTOTAL (1)		(\$)		3. ADDITIONAL FEES <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Code</th> <th style="text-align: left;">Large Entity Fee (\$)</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td style="text-align: right;">130</td> <td>Surcharge-late filing fee or oath</td> <td style="text-align: right;">130.00</td> </tr> <tr> <td>1052</td> <td style="text-align: right;">50</td> <td>Surcharge-late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td style="text-align: right;">130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1251</td> <td style="text-align: right;">120</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td style="text-align: right;">450</td> <td>Extension for reply within second month</td> <td style="text-align: right;">450.00</td> </tr> <tr> <td>1253</td> <td style="text-align: right;">1,020</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td style="text-align: right;">1,590</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td style="text-align: right;">2,160</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td style="text-align: right;">500</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td style="text-align: right;">500</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1452</td> <td style="text-align: right;">500</td> <td>Petition to revive-unavoidable</td> <td></td> </tr> <tr> <td>1453</td> <td style="text-align: right;">1,500</td> <td>Petition to revive-unintentional</td> <td></td> </tr> <tr> <td>1502</td> <td style="text-align: right;">1,400</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>122</td> <td style="text-align: right;">130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1801</td> <td style="text-align: right;">790</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> </tbody> </table>				Large Entity Code	Large Entity Fee (\$)	Fee Description	Fee Paid	1051	130	Surcharge-late filing fee or oath	130.00	1052	50	Surcharge-late provisional filing fee or cover sheet		1053	130	Non-English specification		1251	120	Extension for reply within first month		1252	450	Extension for reply within second month	450.00	1253	1,020	Extension for reply within third month		1254	1,590	Extension for reply within fourth month		1255	2,160	Extension for reply within fifth month		1401	500	Notice of Appeal		1402	500	Filing a brief in support of an appeal		1452	500	Petition to revive-unavoidable		1453	1,500	Petition to revive-unintentional		1502	1,400	Utility issue fee (or reissue)		122	130	Petitions to the Commissioner		1801	790	Request for Continued Examination (RCE)	
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